

oFORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
P/63929TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/562760

INTERNATIONAL APPLICATION NO.  
PCT/EP2004/051329INTERNATIONAL FILING DATE  
July 1, 2004PRIORITY DATE CLAIMED  
July 1, 2003

TITLE OF INVENTION TRANSMITTER FOR AN OPTICAL COMMUNICATION SIGNAL

APPLICANT(S) FOR DO/EO/US Horst WERNZ, Jore-Peter ELBRS, Helmut GRIESSER

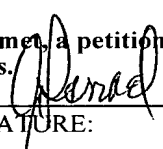
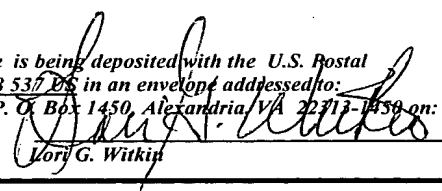
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☒ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included and fee.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Receipt Acknowledgement Postcard**

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|  |              |   |  |  |    |
|--|--------------|---|--|--|----|
| U.S. APPLICATION NO. (if shown on PCT/EP 2004/051329)  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2004/051329</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>P/63929</b> |    |
| 21. <input checked="" type="checkbox"/> THE FOLLOWING BASIC NATIONAL FEES ARE SUBMITTED:   |              |   |  |  |    |
| ■ Basic National Stage Fee.....\$300.00<br>■ National Stage Search Fee.....\$500.00<br>■ National Stage Examination Fee.....\$200.00   |              |   |  |  |    |
| <input type="checkbox"/> National Stage Application Size Fee -<br>for each additional 50 sheets that exceeds 100 sheets.....\$250.00   |              |   |  |  |    |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  |              |   |  | \$1,000.00                                 |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than<br>months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30  |              |   |  | \$0.00                                     |    |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE   | \$   |    |
| Total claims   | 14 - 20 =    | 0   | x \$50.00  | \$0.00                                     |    |
| Independent claims   | 1 3 =        | 0   | x \$200.00   | \$0.00                                     |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$360.00   | \$0.00                                     |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |  | \$1,000.00                                 |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.  |              |   |  | \$0.00                                     |    |
| <b>SUBTOTAL =</b>  |              |   |  | \$1,000.00                                 |    |
| Processing fee of \$130.00 for furnishing the English translation later than<br>months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30  |              |   |  | \$0.00                                     |    |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |  | \$1,000.00                                 |    |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +   |              |   |  | \$0.00                                     |    |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |  | \$1,000.00                                 |    |
|  |              |   |  | Amount to be<br>refunded:                  | \$ |
|  |              |   |  | charged:                                   | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of <b>\$1,000.00</b> to cover the above fees is enclosed and Assignment recordal.<br>b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any<br>overpayment to Deposit Account No. <b>11-1145</b> . A duplicate copy of this sheet is enclosed. |              |   |  |  |    |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>  |              |   |  |  |    |
| <b>SEND ALL CORRESPONDENCE TO:</b>   |              |   |  |  |    |
| <b>KIRSCHSTEIN, OTTINGER, ISRAEL &amp; SCHIFFMILLER, P.C.</b><br>489 Fifth Avenue<br>New York, New York 10017<br>(212) 697-3750  |              |   | SIGNATURE: <br><b>Alan Israel</b><br>NAME<br><b>27,564</b><br>REGISTRATION NUMBER |  |    |
| I hereby certify that this correspondence is being deposited with the U.S. Postal<br>Service as Express Mail No. EV 667 158 537 DS in an envelope addressed to:<br>Box: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on:<br><b>December 28, 2005</b><br>(date) <br>Lori G. Witkin     |              |   |  |  |    |